

DEPARTMENT OF JUSTICE

GOVERNOR'S BUDGET RECOMMENDATIONS

Source of Funds	FY01 Adjusted Base	FY02 Recommended	% Change Over FY01	FY03 Recommended	% Change Over FY02
GPR	38,721,700	37,054,800	-4.3	37,460,000	1.1
PR-F	6,169,800	6,752,600	9.4	6,756,100	0.1
PR-O	17,800,300	20,173,400	13.3	20,440,000	1.3
PR-S	9,127,200	9,353,300	2.5	10,553,300	12.8
SEG-O	235,200	285,300	21.3	289,100	1.3
TOTAL	72,054,200	73,619,400	2.2	75,498,500	2.6

FULL-TIME EQUIVALENT POSITION SUMMARY

Source of Funds	FY01 Adjusted Base	FY02 Recommended	FTE Change From FY01	FY03 Recommended	FTE Change From FY02
GPR	412.65	399.85	-12.80	399.85	0.00
PR-F	24.25	24.25	0.00	24.25	0.00
PR-O	78.75	77.25	-1.50	77.25	0.00
PR-S	65.00	60.00	-5.00	60.00	0.00
SEG-O	2.75	2.75	0.00	2.75	0.00
TOTAL	583.40	564.10	-19.30	564.10	0.00

AGENCY DESCRIPTION

The department is headed by the Attorney General, an elected constitutional officer. The department provides legal, criminal investigatory and other law enforcement services for the state.

The Division of Legal Services represents the interests of the state in court, advises state officers and agencies regarding their legal rights and responsibilities, and represents them in court. The division advises county district attorneys and corporation counsel on matters within the jurisdiction of their offices. The division also participates in the preparation of legal opinions requested of the Attorney General.

The Division of Law Enforcement Services analyzes forensic physical evidence for state and local law enforcement agencies. The division includes the state repository for fingerprint identification and criminal history record information and operates a 24-hours-a-day, seven-days-a-week statewide computerized telecommunications system linking law enforcement agencies. The division also administers recruitment and training standards which apply to all Wisconsin law enforcement officers and provides training at advanced levels.

The Division of Criminal Investigation investigates crime that is statewide in nature or importance. The division enforces laws pertaining to gambling, prostitution and white collar crime; investigates fires of unknown or suspected incendiary origin; and assists local law enforcement in the investigation of crimes against persons and property. The division is responsible for protecting the integrity of state authorized gaming, such as the lottery, pari-mutuel betting and tribal gaming.

The Division of Narcotics Enforcement is responsible for the investigation and enforcement of laws pertaining to narcotics and dangerous drugs and for supporting the efforts of local law enforcement through investigative assistance and training.

The Division of Management Services is responsible for operational support which includes policy analysis, budget, information technology, and fiscal and human resource services.

The Office of Crime Victim Services provides compensation to persons who are the innocent victims of certain crimes through the Crime Victim Compensation Program. Through the Victim/Witness Assistance Program, counties are reimbursed for services they provide to victims and witnesses of crimes.

DEPARTMENT OF JUSTICE

GOVERNOR'S BUDGET RECOMMENDATIONS

RECOMMENDATIONS

1. Law Enforcement Training Fund
2. Automated Fingerprint Identification System Replacement
3. Enhancing the Use of DNA Evidence
4. Crime Laboratory Equipment
5. Victim-Witness Grants to Counties
6. Increase Handgun Hotline Fee
7. Eliminate Research and Information Services Unit
8. Transfer Consumer Protection Positions to DATCP
9. Transfer County-Tribal Law Enforcement Grants to OJA
10. Move Positions to Law Enforcement Training Fund
11. Position and Expenditure Authority Adjustments
12. Appropriation for Restitution to Victims
13. Generic PR-S Appropriations for Law Enforcement and Victim Services
14. Budget Efficiency Measures
15. Standard Budget Adjustments

ITEMS NOT APPROVED

16. Criminal Background Record Check Enhancements
17. Regional Crime Scene Pilot
18. Additional Crime Laboratory Positions
19. TIME System Adjustments
20. Convert Victim Services Position to Permanent

Table 1
Department Budget Summary by Funding Source (in thousands of dollars)

	ACTUAL FY00	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY02	FY03	FY02	FY03
GENERAL PURPOSE REVENUE	\$37,777.5	\$38,721.7	\$40,299.6	\$40,317.6	\$37,054.8	\$37,460.0
State Operations	34,456.2	35,400.4	36,978.3	36,996.3	33,733.5	34,138.7
Local Assistance	1,997.1	1,997.1	1,997.1	1,997.1	1,997.1	1,997.1
Aids to Ind. & Org.	1,324.2	1,324.2	1,324.2	1,324.2	1,324.2	1,324.2
FEDERAL REVENUE (1)	6,579.6	6,169.8	6,750.4	6,753.9	6,752.6	6,756.1
State Operations	2,504.2	1,499.7	2,068.2	2,070.1	2,068.9	2,070.8
Local Assistance	3,485.2	4,026.2	4,038.3	4,039.9	4,039.8	4,041.4
Aids to Ind. & Org.	590.2	643.9	643.9	643.9	643.9	643.9
PROGRAM REVENUE (2)	27,114.1	26,927.5	36,732.6	31,472.3	29,526.7	30,993.3
State Operations	18,663.6	17,088.4	24,649.0	18,918.9	18,600.2	19,819.2
Local Assistance	7,961.7	9,350.3	11,594.8	12,064.6	10,437.7	10,685.3
Aids to Ind. & Org.	488.8	488.8	488.8	488.8	488.8	488.8
SEGREGATED REVENUE (3)		235.2	285.3	289.1	285.3	289.1
State Operations		235.2	285.3	289.1	285.3	289.1
TOTALS-ANNUAL	71,471.2	72,054.2	84,067.9	78,832.9	73,619.4	75,498.5
State Operations	55,624.0	54,223.7	63,980.8	58,274.4	54,687.9	56,317.8
Local Assistance	13,444.0	15,373.6	17,630.2	18,101.6	16,474.6	16,723.8
Aids to Ind. & Org.	2,403.2	2,456.9	2,456.9	2,456.9	2,456.9	2,456.9

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

Table 2
Department Position Summary by Funding Source (in FTE positions) (4)

	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY02	FY03	FY02	FY03
GENERAL PURPOSE REVENUE	412.65	411.15	411.15	399.85	399.85
FEDERAL REVENUE (1)	24.25	24.25	24.25	24.25	24.25
State Operations	21.25	21.25	21.25	21.25	21.25
Local Assistance	3.00	3.00	3.00	3.00	3.00
PROGRAM REVENUE (2)	143.75	140.25	140.25	137.25	137.25
SEGREGATED REVENUE (3)	2.75	2.75	2.75	2.75	2.75
TOTALS-ANNUAL	583.40	578.40	578.40	564.10	564.10
State Operations	580.40	575.40	575.40	561.10	561.10
Local Assistance	3.00	3.00	3.00	3.00	3.00

(1) Includes Program Revenue-Federal and Segregated Revenue-Federal

(2) Includes Program Revenue-Service and Program Revenue-Other

(3) Includes Segregated Revenue-Service, Segregated Revenue-Other and Segregated Revenue-Local

(4) All positions are State Operations unless otherwise specified

Table 3
Department Budget Summary by Program (in thousands of dollars)

	ACTUAL FY00	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
			FY02	FY03	FY02	FY03
1. Legal services	\$17,080.3	\$17,186.0	\$17,041.7	\$17,056.9	\$14,453.7	\$14,477.7
2. Law enforcement services	36,446.1	35,485.4	46,661.1	40,958.6	39,481.1	41,113.7
3. Administrative services	4,619.5	4,425.9	4,671.2	4,671.2	4,470.6	4,473.9
5. Victims and witnesses	13,325.3	14,956.9	15,693.9	16,146.2	15,214.0	15,433.2
TOTALS	71,471.2	72,054.2	84,067.9	78,832.9	73,619.4	75,498.5

Table 4
Department Position Summary by Program (in FTE positions) (4)

	ADJUSTED BASE FY01	AGENCY REQUEST		GOVERNOR'S RECOMMENDATION	
		FY02	FY03	FY02	FY03
1. Legal services	173.40	170.40	170.40	161.10	161.10
2. Law enforcement services	335.00	332.00	332.00	330.00	330.00
3. Administrative services	52.00	52.00	52.00	50.00	50.00
5. Victims and witnesses	23.00	24.00	24.00	23.00	23.00
TOTALS	583.40	578.40	578.40	564.10	564.10

(4) All positions are State Operations unless otherwise specified

1. Law Enforcement Training Fund

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	1,809,000	0.00	1,842,000	0.00	1,809,000	0.00	1,842,000	0.00
TOTAL	1,809,000	0.00	1,842,000	0.00	1,809,000	0.00	1,842,000	0.00

The Governor recommends creating a dedicated law enforcement training fund with funding provided by its own discrete surcharge. The fund assessment will be separate from the penalty assessment and will represent an eleven percent surcharge on fines and forfeitures ordered for violations of state laws or local ordinances, except nonmoving traffic violations, seat belt violations or violations of antismoking laws. The Governor's recommendation includes providing \$1,809,000 in FY02 and \$1,842,000 in FY03 to increase the fund. This additional funding will increase reimbursements for annual recertification training from \$160 to \$220 per officer; increase the reimbursement for recruit training from 400 hours to 520 hours; and will expand the management, specialized and advanced training programs. See Department of Administration, Item #9.

2. Automated Fingerprint Identification System Replacement

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	5,818,200	0.00	0	0.00	940,100	0.00	2,200,100	0.00
TOTAL	5,818,200	0.00	0	0.00	940,100	0.00	2,200,100	0.00

The Governor recommends providing \$1,140,100 in FY02 and \$2,400,100 in FY03 to upgrade and replace the state's Automated Fingerprint Identification System (AFIS). Funding will come from a combination of sources. Grant programs administered by the Office of Justice Assistance will provide \$940,100 in each year from the criminal history improvement set-aside of the federal Byrne program and matching monies and in FY03 the National Criminal History Improvement Project will provide \$760,000. Based on the department's estimate of the residual value of the current AFIS system, the department must apply \$500,000 worth of proceeds in FY03 toward the new system. The Governor's recommendation requires the application of \$200,000 PR-O annually from the current base spending for AFIS maintenance that will not be required for a new system under warranty.

3. Enhancing the Use of DNA Evidence

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	0	0.00	0	0.00	93,300	2.00	108,500	2.00
TOTAL	0	0.00	0	0.00	93,300	2.00	108,500	2.00

The Governor recommends the authorization of 2.0 FTE forensic scientist positions dedicated to enhancing the use of DNA evidence by expediting new DNA profile searches and analyzing cold cases. Funding for the positions will come from a portion of the \$5 crime lab and drug enforcement surcharge and the \$250 DNA surcharge. One position will be located at the State Crime Lab in Milwaukee and one in Madison. These positions will work in conjunction with the newly designated DNA prosecutor in Milwaukee County. This item is part of the Governor's initiative to enhance the use of DNA evidence. This initiative is described under District Attorneys, Item #1.

4. Crime Laboratory Equipment

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	505,000	0.00	505,000	0.00	200,000	0.00	90,000	0.00
TOTAL	505,000	0.00	505,000	0.00	200,000	0.00	90,000	0.00

The Governor recommends providing \$200,000 in FY02 and \$90,000 in FY03 from the \$5 crime lab and drug enforcement fee to enable the State Crime Labs to replace obsolete equipment, resolve outstanding Year 2000 issues and to capitalize on new technology.

5. Victim-Witness Grants to Counties

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	215,000	0.00	435,000	0.00	215,000	0.00	435,000	0.00
PR-S	448,700	0.00	670,900	0.00	0	0.00	0	0.00
TOTAL	663,700	0.00	1,105,900	0.00	215,000	0.00	435,000	0.00

The Governor recommends providing additional funding from the victim-witness surcharge to increase reimbursements to counties for costs of their victim-witness assistance programs. Funding sources for victim-witness grants to counties includes GPR, revenue from the penalty assessment surcharge, federal Byrne and matching monies administered by the Office of Justice Assistance, and the victim-witness surcharge. This recommendation will bring total state funding for reimbursements to counties to \$5.5 million in FY02 and \$5.7 million in FY03.

6. Increase Handgun Hotline Fee

The Governor recommends increasing the handgun background check fee from \$8 to \$12 to reduce the deficit in the handgun hotline appropriation.

7. Eliminate Research and Information Services Unit

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-196,500	-2.00	-196,500	-2.00
TOTAL	0	0.00	0	0.00	-196,500	-2.00	-196,500	-2.00

The Governor recommends the savings indicated by eliminating the research and information services unit in the department. This recommendation deletes the unclassified position of director of research and information and a related program and planning analyst position.

8. Transfer Consumer Protection Positions to DATCP

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-808,700	-9.30	-808,700	-9.30
TOTAL	0	0.00	0	0.00	-808,700	-9.30	-808,700	-9.30

The Governor recommends transferring 9.30 FTE consumer protection positions, incumbents and related GPR funding from the department's Division of Legal Services to the Department of Agriculture, Trade and Consumer Protection (DATCP). These positions remained in the department after the reduction and transfer of consumer protection resources to DATCP during the 1995-97 biennial budget. Positions to be transferred include 4.80 FTE attorneys, 2.0 FTE consumer protection investigators, 0.50 FTE legal assistant, 1.0 FTE legal secretary and 1.0 FTE paralegal. All department assets, liabilities and tangible personal property including records, pending matters, and contracts primarily related to its consumer protection investigations and enforcement functions will become the assets and liabilities of DATCP on the effective date of the budget bill. The positions transferring to DATCP will retain all state employment rights and the same status as they enjoyed immediately before the transfer. No transferred employee who has attained permanent status in class will be required to serve a probationary period. See Department of Agriculture, Trade and Consumer Protection, Item #12.

9. Transfer County-Tribal Law Enforcement Grants to OJA

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-S	0	0.00	0	0.00	-772,000	-1.00	-772,000	-1.00
TOTAL	0	0.00	0	0.00	-772,000	-1.00	-772,000	-1.00

The Governor recommends transferring the county-tribal law enforcement grant program from the department to the Office of Justice Assistance (OJA). The 1999-2001 biennial budget created two new grant programs in OJA funded with Indian gaming compact monies that parallel programs under the department. This recommendation combines the cooperative county-tribal law enforcement grants currently administered by the department with OJA's two grant programs. The Governor's recommendation includes the deletion of 1.0 FTE budget and policy analyst position currently funded with compact monies at the department. See Department of Administration, Item #12.

10. Move Positions to Law Enforcement Training Fund

The Governor recommends moving 5.0 FTE training positions from the Transaction Information for Management and Enforcement (TIME) system terminal fee appropriation to the law enforcement training fund. The training functions of these positions extend beyond the TIME system and include fingerprinting, disposition reporting and the criminal history system. Because of the variety of topics covered by these positions, the training fund is a more appropriate location for these positions.

11. Position and Expenditure Authority Adjustments

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
PR-O	531,700	6.00	531,700	6.00	531,700	6.00	531,700	6.00
PR-S	-510,500	-6.00	-510,500	-6.00	-510,500	-6.00	-510,500	-6.00
TOTAL	21,200	0.00	21,200	0.00	21,200	0.00	21,200	0.00

The Governor recommends adjusting spending and position authority in the agency's interagency assistance and criminal history search fee appropriations to cover costs related to upgrading and improving the Transaction Information for Management and Enforcement (TIME) system, Automated Fingerprint Identification System (AFIS), and other electronic criminal history systems. A change in fund source has required the agency to use the criminal history search fee to provide for these functions. The Governor's recommendation includes the conversion of the program chief position from project to permanent status and provides full funding for all six positions affected by the adjustment.

12. Appropriation for Restitution to Victims

The Governor recommends amending the appropriation under s. 20.505(1)(hm), Wisconsin Statutes, used to receive and distribute funds awarded by the court for restitution payments to victims for certain cases. Changes to statutory language include converting the appropriation from continuing to annual, expanding the appropriation to receive and disburse restitution for all cases handled by the agency, and expanding the language to include restitution gained as a result of settlements. The Governor's recommendation includes requiring the agency to use this appropriation for all restitution monies and prohibiting the agency from using a liability account to hold and disburse restitution funds.

13. Generic PR-S Appropriations for Law Enforcement and Victim Services

The Governor recommends amending two existing appropriations to create generic interagency/intraagency assistance PR-S appropriations. One appropriation is under the agency's Division of Law Enforcement Services and one is under the Office of Crime Victim Services. This change will enable the agency to receive and spend monies from other state agencies for various purposes.

14. Budget Efficiency Measures

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	0	0.00	0	0.00	-1,770,000	0.00	-1,770,000	0.00
TOTAL	0	0.00	0	0.00	-1,770,000	0.00	-1,770,000	0.00

The Governor recommends reducing the agency's largest GPR state operations appropriation in the amounts shown to create additional operational efficiencies. If within 90 days of the publication of the budget bill the agency submits a plan to the Department of Administration and the Joint Committee on Finance to reallocate some or all of the reductions to other sum certain state operations appropriations within the agency, the secretary of the Department of Administration will forward any approved reallocation plans to the Joint Committee on Finance for its review and approval.

15. Standard Budget Adjustments

Source of Funds	Agency Request				Governor's Recommendation			
	FY02		FY03		FY02		FY03	
	Dollars	Positions	Dollars	Positions	Dollars	Positions	Dollars	Positions
GPR	1,577,900	-1.50	1,595,900	-1.50	1,108,300	-1.50	1,513,500	-1.50
PR-F	580,600	0.00	584,100	0.00	582,800	0.00	586,300	0.00
PR-O	-182,600	-7.50	-169,000	-7.50	-182,600	-7.50	-169,000	-7.50
PR-S	274,500	0.00	309,300	0.00	275,200	0.00	310,000	0.00
SEG-O	50,100	0.00	53,900	0.00	50,100	0.00	53,900	0.00
TOTAL	2,300,500	-9.00	2,374,200	-9.00	1,833,800	-9.00	2,294,700	-9.00

The Governor recommends adjustments to the agency's base budget for: (a) turnover reduction (-\$578,400 in each year); (b) removal of noncontinuing elements from the base (-9.0 FTE in each year, -\$479,200 in FY02 and -\$484,600 in FY03); (c) full funding of continuing position salaries and fringe benefits (\$1,586,000 in each year); (d) funding of ongoing s. 13.10 supplements (\$30,400 in each year); (e) reclassifications (\$115,800 in FY02 and \$179,300 in FY03); (f) BadgerNet increases (\$116,900 in each year); (g) overtime (\$946,800 in FY02 and \$1,334,000 in FY03); (h) night and weekend differential pay (\$12,400 in each year); (i) fifth week of vacation as cash (\$76,700 in FY02 and \$92,300 in FY03); and (j) full funding of lease and directed moves costs (\$6,400 in each year). The Governor's recommendation includes adjustments to the agency's request for overtime supplements. Adjustments are necessary to achieve the "zero and one percent" GPR targets and to conform to allowances for overtime as established by the 2001-03 Budget Instructions.

ITEMS NOT APPROVED

The following requests are not included in the Governor's budget recommendations for the Department of Justice.

Decision Item	Source of Funds	FY02		FY03	
		Dollars	Positions	Dollars	Positions
16. Criminal Background Record Check Enhancements	PR-O	400,000	0.00	400,000	0.00
17. Regional Crime Scene Pilot	PR-S	204,700	0.00	86,400	0.00
18. Additional Crime Laboratory Positions	PR-S	139,900	3.00	162,800	3.00
19. TIME System Adjustments	PR-O	118,800	0.00	237,600	0.00
20. Convert Victim Services Position to Permanent	PR-S	32,700	1.00	43,600	1.00
TOTAL OF ITEMS NOT APPROVED	PR-O	518,800	0.00	637,600	0.00
	PR-S	377,300	4.00	292,800	4.00